

Appl. No. 09/767,383

Amdt. dated January 26, 2004

Reply to Office action of October 29, 2003

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-6 and 8 remain in the application. Claims 1 and 8 have been amended. Claim 7 has been canceled.

More specifically, the subject matter of claim 7 has been incorporated into claims 1 and 8. According to the amended claim 1, the circuit configuration includes a digital functional unit which switches off the connected battery-operated transceiver when the supply voltage reaches a certain lower threshold. Claim 8 has been amended similarly.

It is believed that the claims, as amended, are patentable over the art of record. More specifically, the claims are believed to be patentable over the combination of Tamura et al. (Tamura) and Tsukada under 35 U.S.C. § 103. As such, we respectfully traverse the rejection on the basis of the amended claims.

The primary reference Tamura describes a battery-powered radio communication apparatus which permits communications to be maintained for some time after the battery voltage has fallen. The battery-powered radio communication apparatus comprises a power amplifier (4) and a power detector (6) for detecting the

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output power of the power amplifier. A supply voltage detector (9) compares a standard voltage with the output voltage of a battery that supplies power to the power amplifier. A gain control circuit 700 controls the gain of the power amplifier in response to the output of the power amplifier and to the output of the supply voltage detector. This prolongs, by a certain time, the communicable state of the apparatus prior to battery depletion.

The secondary reference Tsukada describes a timer circuit for controlling an electric device. The electric device is turned off at a predetermined time after actuation of a switch. After the switch has been actuated, a storage capacitor is charged to a fixed level independent of battery voltage by the junction drops of a plurality of forward biased solid state devices. The storage capacitor is discharged through a resistor which, with a storage capacitor, forms an R C time constant. The discharge time of the timer storage capacitor to a predetermined triggering level is determined by the R C time constant. The discharge time is thus independent of the battery voltage.

In viewing the totality of the reference disclosures, it appears that Tamura and Tsukada are not easily combined. More importantly, however, even if all of the features of the

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references were combined, one would still not arrive at the claimed invention.

Tamura does not show or suggest a functional unit that generates a switching-off signal for switching off a transceiver in dependence on the supply voltage. As stated by the Examiner, Tsukada teaches a turning-off procedure of an electric device that is substantially independent on battery voltage (col. 1, lines 44-48).

In the claimed invention, the shutoff procedure of the battery supply is dependent on the battery charge. With reference to page 7, lines 20-25, of the specification, a microcontroller contains suitable circuits, through the use of which the operating voltage is interrogated. If the operating voltage drops below a threshold value, this is detected by the microcontroller and a switching-off signal is generated. Much in contrast with the Examiner's statement, the generation of a switching-off signal is not obvious to one of skill in the art by combining the teachings of Tamura with the teachings of Tsukada.

It is also clear that the claimed invention does not utilize a timer circuit with which the electric device is turned off along a constant delay time that would compare to an RC time

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constant (cf. Tsukada, col. 1, lines 44-48; col. 3, line 67 to col. 4, line 2). Instead of turning off the electric device with a constant delay, the switching-off signal of the claimed invention is generated by the digital functional unit when the operating voltage drops below a threshold value (page 7, lines 22-25).

In summary, none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 and 8. These claims are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent thereon, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-6 and 8 are solicited. If an extension for this paper is required, petition for extension is herewith made.

Respectfully submitted,



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